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BY ECF

Honorable Roanne L. Mann
United States Magistrate Judge
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Liberty Mutual Insurance Co. et al. v. Excel Imaging, et al.
Docket No. CV 11-05780 (JBW) (RLM)
Our File No.: 009162-00003

Dear Judge Mann:

This firm represents Plaintiffs (collectively "Liberty Mutual") in the above-referenced matter.

I am writing pursuant to Judge Weinstein's instructions to advise Your Honor that Judge Weinstein denied all of the defendants' motions to dismiss, which were converted in part to summary judgment motions, after oral argument held today. (Similarly, Judge Weinstein denied all of the defendants' motions in the related case, GEICO v Excel Imaging PC, CV 12-723). Judge Weinstein further directed that the Liberty Mutual action proceed before Your Honor on July 9, 2012, along with the GEICO case, which is currently scheduled for an initial conference on that date.

We stand ready to answer any questions the Court may have and thank you for your attention to this matter.

Very truly yours,

RIVKIN RADLER LLP

Michael A. Sirignano

cc: All counsel (by ECF)

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confer and complete an initial conference questionnaire for the two cases.

SO ORDERED:

/s/

Roanne L. Mann

U.S. Magistrate Judge

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6/18/12